

BENSALEM TOWNSHIP

Building and Planning Department
2400 Byberry Road • Bensalem PA 19020
215-633-3644 • FAX 215-633-3653

Exhibit Z-4

Zoning Hearing Board

Appeal Number: 2014-401

Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

Appeal is hereby made by the undersigned from the action of the Zoning Officer.

RECEIVED

JUL 01 2014

Check applicable item(s):

BENSALEM TOWNSHIP
BUILDING AND PLANNING

- ☐ Certification of Non-Conforming Use
- ☐ Application for Validity Challenge
- ☐ Administrative Officer in refusing my application for a building permit dated: _____
- ☐ Special Exception
- ☒ Variance from the terms of the Zoning Ordinance of the Township of Bensalem

Appellant Name:

John & Ewelina O'Neill

Address:

4125 Chestnut Ave

Tre Jose PA 19053

Phone No.

[REDACTED]

Owner's Name:

John & Ewelina O'Neill

Address:

4125 Chestnut Ave

Tre Jose PA 19053

Phone No.

[REDACTED]

Attorney Name:

Address:

Phone No.

Interest of appellant, if not owners (agent, lessee, etc.):

1. Application relates to the following:

Check items if applicable:

- | | |
|--|--|
| <input type="checkbox"/> Use | <input type="checkbox"/> Lot Area |
| <input type="checkbox"/> Height | <input type="checkbox"/> Yards |
| <input type="checkbox"/> Existing Building | <input type="checkbox"/> Proposed Building |
| <input type="checkbox"/> Occupancy | |

☒ Other: (describe) allowance of chickens on
Property

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-005-269
Location: 4125 Chestnut Ave Trease PA 19053
Lot Size: 180' x 280'
Present Use: Residential
Proposed Use: Residential
Present Zoning Classification: R-2
Present Improvement upon Land: _____
Deed recorded at Doylestown in Deed Book 5440 Page 2021

3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.

4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:

Date Determination was made: _____

Your statement of alleged error of Zoning Administrative Office: _____

5. Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):

6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):

VARIANCE OF Section 232-166
Allowance of chickens

7. Reasons appellant believes board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and not whether hardship is (or is not) claimed, and the specific hardship.

Because Chickens Don't Bother Anyone

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

☐ YES ☒ NO

Specifications of errors must state separately the appellant's objections to the action of the zoning administrative office with respect to each question of law and fact which is sought to be reviewed.

I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

7-1-14 J.O.
~~6-30-14~~
Date

Sworn to and subscribed before me this

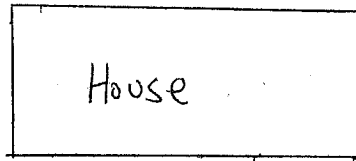
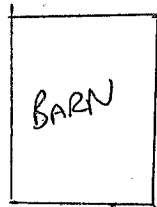
1st day of July 2014

Notary Public

My commission expires: 7/25/2017

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Olana Nytko, Notary Public
Lower Southampton Twp., Bucks County
My Commission Expires Sept. 25, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Chestnut Ave



OAK AVE



BENSALEM TOWNSHIP

Building And Planning Department
Office 215-633-3644 • Fax 215-633-3753
Matthew K. Takita
Director of Building and Planning
2400 Byberry Road • Bensalem, PA 19020

NOTICE OF VIOLATION

December 5, 2013

John O'Neil
4125 Chestnut Ave
Trevose, PA 19053

Property:	4125 Chestnut Ave
Violation:	Chickens
Tax Parcel No.:	02-005-269
Owner of Record:	same as addressed

Dear Sir or Madam:

You are hereby notified that you are violating the Code of the Township of Bensalem Pennsylvania. as amended.

The Section or Sections of the Zoning Ordinance, which you have violated, and an explanation of the violation(s) are listed on the second page of this Notice.

Failure to either commence action to correct or remove the violation within the time first specified below or to completely correct or remove the violation(s) by the second date specified below, unless an appeal of the Notice of Violation has been filed with the Zoning Hearing Board, constitutes a violation of the Code of the Township of Bensalem Pennsylvania. Violations of the Code may result in the initiation of a civil enforcement proceeding before a District Justice where the District Justice may impose a fine of not more than Five Hundred (\$500.00) dollars plus all court costs, including the Township's attorney's fees, incurred as a result of such action.

Each day that the violation(s) continues shall constitute a separate violation and may be subject to a daily fine. The Township may also initiate other appropriate action at law or in equity, which may be necessary to enforce the provisions of the Code.

Please be advised that you have the right to appeal this Notice of Violation and/or Cease and Desist Order in writing to the Bensalem Township Zoning Hearing Board within thirty (30) days, if you believe a misinterpretation or misapplication of the Zoning Ordinance has been ascertained.

Appeals to the Zoning Hearing Board shall be made by the filing of an appropriate application for such appeal as provided by the Bensalem Township Building and Planning Department, which application shall include payment of all required fees.

You must comply with this Notice of Violation promptly and must commence action to correct or remove the violation(s) noted below no later than **Immediately**. The violation(s) must be completely corrected or removed no later than **December 27, 2013**.

The Bensalem Township Zoning Ordinance provisions you are currently violating:

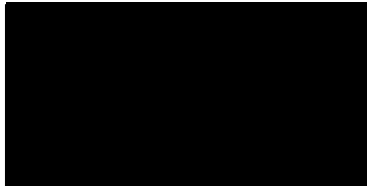
Section 232-166 Use regulations

To abate said violation(s) you must:

**Chickens are not permitted in a R-2 Zoning district.
Remove all chickens from property.**

This listing of violation(s) may not represent all violations presently occurring on the property. Other violations may appear upon application for required permits or upon further investigation and the Township reserves its rights to take any and all action authorized to enforce its Ordinances as to all violations.

Respectfully,



Christine Savage
Housing Code Administrator
215-633-3644

91-7199-9991-7033-6431-6892
Certified & Regular Mail

CS/lva
Enclosures

